

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PLUMBERS LOCAL 98 DEFINED BENEFIT
PENSION FUND, PLUMBERS LOCAL 98
DEFINED CONTRIBUTION FUND, PLUMBERS
98 INSURANCE FUND, PLUMBERS LOCAL
98 VACATION & HOLIDAY TRUST FUND,
PLUMBERS LOCAL 98 SUB TRUST FUND,
PLUMBERS LOCAL 98 RETIREE BENEFIT
FUND, METRO-DETROIT PLUMBING
INDUSTRY TRAINING TRUST and
JOINT ADMINISTRATIVE COMMITTEE
OF THE PLUMBING & PIPEFITTING
INDUSTRY IN THE DETROIT AREA,

Plaintiffs,

vs.

Case No. 08-cv-13173
Hon.: George Caram Steeh

KEIPER MECHANICAL, INC., a Michigan
Corporation, and DONALD KEIPER, Individually.

Defendants.

DAVID J. SELWOCKI P51375

MATTHEW I. HENZI P57334

Sullivan, Ward, Asher & Patton, P.C.

Attorneys for Plaintiffs

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**ORDER GRANTING PLAINTIFFS' MOTION TO
VACATE AMENDED JUDGMENT BY DEFAULT
AGAINST DEFENDANTS DATED AUGUST 5, 2010**

Upon Plaintiffs having obtained their Amended Judgment by Default against Defendants dated August 5, 2010, Plaintiffs' counsel having subsequently received information of a prior payment made by Defendants that negated the Judgment balance

reflected in the Amended Judgment dated August 5, 2010, Plaintiffs having filed their Motion to Vacate Amended Judgment and this Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that Plaintiffs' Amended Judgment by Default against Defendants dated August 5, 2010 (Docket #26) is hereby vacated; and

IT IS FURTHER ORDERED that this matter is hereby dismissed without prejudice and without costs to either party.

Dated: November 2, 2010

s/George Caram Steeh
U.S. District Judge

Order prepared by:

Matthew I. Henzi (P57334)
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 2, 2010 by electronic mail.

s/Marcia Beauchemin
Deputy Clerk